



Board of Supervisors

Telephone (518) 736-5540

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12 September 2019

Alicia Barton, President
NYSERDA
17 Columbia Circle
Albany, NY 12203-6399

Dear President Barton:

In accordance with RPTL 487 (8) a., attached is a copy of Local Law No. 3 of 2019 entitled, "A Local Law Opting Out of Section 487 NYS Real Property Tax Law Exemptions for Solar Farm Projects" for filing.

Sincerely,

Jon R. Stead
Administrative Officer/Clerk of the Board

JRS:el
Attachment

Resolution No. 343

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION ADOPTING LOCAL LAW 3 OF 2019 "OPTING OUT OF SECTION 487 NYS
REAL PROPERTY TAX LAW EXEMPTIONS FOR SOLAR FARM PROJECTS"**

WHEREAS, proposed Local Law "D" of 2019 entitled, "OPTING OUT OF SECTION 487 NYS REAL PROPERTY TAX LAW EXEMPTIONS FOR SOLAR FARM PROJECTS" has laid upon the desks of the Board of Supervisors for the required period; and

WHEREAS, a public hearing was held on September 9, 2019, after due posting thereof and everyone who wanted to speak was heard; now, therefore be it

RESOLVED, That Local Law 3, hereinabove referenced, be and hereby is approved; and, be it further

RESOLVED, That the Clerk of the Board is directed to number said local law for appropriate recording and filing purposes; and, be it further

RESOLVED, That the Chairman of the Board of Supervisors and County Attorney be authorized and empowered to do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, NYS Secretary of State, Fulton County Code Book, NYS Department of Taxation and Finance, NYSEDA, Fulton County Planning Board, All Towns, All Cities, All Villages, Fulton County IDA, Fulton-Montgomery Chamber of Commerce, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

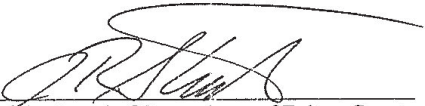
Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 492 (17) Nays: 37 (2) (Supervisors Rice and Young)
Absent: 22 (1) (Supervisor Waldron)

STATE OF NEW YORK }
COUNTY OF FULTON } ss:

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 9th day of SEPTEMBER 2019, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal
This 9th day of SEPTEMBER 2019


Clerk of the Board of Supervisors of Fulton County

**LOCAL LAW 3 – 2019 OPTING OUT OF SECTION 487 NYS REAL PROPERTY TAX
LAW EXEMPTIONS FOR SOLAR ENERGY SYSTEM, WIND ENERGY SYSTEM AND
FARM WASTE ENERGY SYSTEM PROJECTS**

Be it enacted by the Board of Supervisors of the County of Fulton as follows:

Section 1. The purpose of this local law is to opt out of Real Property Tax Law § 487 to capture tax revenues from the development of solar energy facilities and to ensure that such facilities are treated equally with other commercial properties within the county.

Section 2.

- A. No exemption under Real Property Tax Law § 487 shall be applicable to Fulton County taxes with respect to any solar or wind energy system or farm waste energy system.
- B. No exemption under Real Property Tax Law § 487 shall be applicable to Fulton County taxes with respect to any micro-hydroelectric energy system, fuel electric generating system, micro-combined heat and power generating equipment system, or electric energy storage equipment or electric energy storage system.

Section 3.

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Section 4.

To the extent that this local law is inconsistent with Real Property Tax Law § 487 it shall supersede those laws.

Section 5.

- A. This law shall be effective immediately upon filing with the Secretary of State.
- B. In accordance with RPTL 487 (8) a., the County shall file this local law with the Commissioner of the New York State Department of Tax and Finance and with the president of the New York State Energy Research and Development Authority.